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Intended as a reference to statutes which provide federal aid, federal laws from 1949 to 1968 having provisions for education of the handicapped are listed and described, a total of 62 pieces of basic legislation and 12 extensions and authorizations. The legislation is in the areas of research, training, demonstration, and construction, and characterized as direct or indirect aid. Appropriations laws, public law authorizations, and selected appropriations are listed; 25 references are included. Landmark legislation and trends in federal policy are identified and both implications and suggestions are given for future legislation. (LE)

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FEDERAL INVOLVEMENT IN THE EDUCATION OF EXCEPTIONAL CHILDREN

A Review of Legislation

CHARLES J. HORN, Jr. & NORMAN E. BOWERS

INSTITUTE FOR RESEARCH
ON EXCEPTIONAL CHILDREN

UNIVERSITY OF ILLINOIS

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FEDERAL INVOLVEMENT IN THE EDUCATION OF EXCEPTIONAL CHILDREN: A REVIEW OF LEGISLATION

By

Charles J. Horn, Jr.

Norman E. Bowers

Department of Special Education
University of Illinois
November 1968

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INTRODUCTION

In 1953 an Act to Authorize Cooperative Research in Education was passed by the Congress. Of the one million dollars authorized and appropriated, $675,000 was directed to research relating to the education of the mentally retarded (Martin, 1968). Although research funds were subsequently directed to other areas, this law marks the beginning of substantial federal aid directly in favor of handicapped children. Since that time there has been a rapid expansion of such legislation.

In 1958, Public Law 85-926, Education of Mentally Retarded Children, was enacted by Congress. This law has been referred to as the beginning of the attack on the problem of an acute shortage of leadership personnel in the area of the handicapped (Scholl and Milazzo, 1965). The passage of this bill also heralded an increased concern and interest on the part of the Federal government in providing assistance for educating the handicapped.

The third "landmark" legislation benefiting the handicapped was Public Law 88-164, The Mental Retardation Facilities and Community Mental Health Centers Act. Enacted in 1963, it combined the provisions of 85-926, Education of Mentally Retarded Children, and Public Law 87-276, Teachers of the Deaf Training Act, and was expanded to include all handicapped children.

Thus, Public Law 85-926, as amended, now provides federal aid to programs for the mentally retarded, deaf, hard of hearing, speech handicapped, visually handicapped, seriously emotionally disturbed and crippled, or other health impaired persons.

Public Law 89-10, Elementary and Secondary Education Act of 1965, as amended by Public Laws 89-313, 89-750 and 90-247, created a Bureau of Education for the Handicapped in the U. S. Office of Education. This

Bureau now has the responsibility for administering much of the legislation designed especially to educate the handicapped.

There is evolving an unmistakable policy by the Federal government that it should: (1) be integrally involved in comprehensive support for the education and training of the handicapped through federal leadership and financial assistance to state education agencies; (2) support programs of early identification and enumeration of the handicapped; (3) support programs for the training of professional personnel; and (4) support other programs contributing to meeting the special educational needs of handicapped youth.

The amount of Federal legislation for the handicapped has increased to such a degree since 1958 that at the 1967 and again at the 1968 conventions of the Council for Exceptional Children, John Melcher, President Elect of CEC, made a plea for special educators to become familiar with existing federal statutes which provide aid to the handicapped. Since 1960, for example, there has been a 114% increase in laws pertaining to the education of these persons. There was a certain irony in the plea since one would expect professionals working directly with the handicapped to be already fully aware of sources of aid to the handicapped. This, however, is not the case since much of the legislation is so recent and much of it is without precedent.

Federal aid to education traditionally has been of the categorical type, designed for specific purposes within special areas. One area where the need has been particularly acute is the education of handicapped youth. Many handicapped pupils are forced to terminate their education at a level below their potential or to compete in inappropriate programs of instruction. Historically the "GI Bill" and Vocational Rehabilitation services went to

young adults and some older adolescents. "War on Poverty" programs have often centered on preschool programs such as Headstart, or Manpower Development programs designed for unemployed adults. The handicapped often "fall through the slots" between these programs.

Descriptions and discussions of Federal Legislation affecting handicapped children have generally dealt with specific pieces of legislation. Giamo (1962) discussed the introduction of H.R. 10123 and H.R. 10125 to the 87th Congress; Fogarty (1964) reported on progress under P.L. 85-926,[1] P.L. 87-276, P.L. 88-156, and P.L. 88-164; Geer, Connor and Blackman (1964) reviewed the legislation of the 88th Congress. The November 1965 issue of Exceptional Children provided an extensive review of several major pieces of legislation from the 85th, 87th, 88th and 89th Congresses; Jordan (1966) and Geer (1967) each discussed pertinent legislation of the second session of the 89th Congress. Some writers have dealt with several pieces of legislation regarding a particular area of exceptionality. Mackie (1966, 1968, 1968) discussed Title I of P.L. 89-10; publications of the Department of Health, Education, and Welfare (1967, 1968) discuss programs in Mental Retardation, Vocational Rehabilitation and the deaf. A Subcommittee on Special Education (1960) reviewed federal services to special education and also included Rehabilitation Services. The Committee on Education and Labor (1967) provided a compendium of laws which included most of those relating to the handicapped. Congressional Quarterly Service (1967) produced an excellent review of the Federal role in education which included the handicapped. The Department of Health, Education and Welfare (1968) published a summary of selected pieces of legislation passed during the period 1963-1967 which pertains to handicapped children. Martin (1968) provides a review of major legislation designed especially to assist in

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[1]For name of any Public Law (P.L.) see Public Laws by Number and Title (page 5).

the education of handicapped children. Significant changes have taken place since Rowland and Wing (1967) published their Guide to Federal Aid for Schools. The Senate Committee on Labor and Public Welfare (1968) published a committee report which includes the first Annual Report of the National Advisory Council on Handicapped Children and reviews basic federal legislation for the education of the handicapped from 1957 to 1962.

However, a search of the literature revealed no source which provides a comprehensive review of legislation favoring handicapped children. A complete review would include legislation which is indirectly, as well as directly, favorable to handicapped children.

This paper is designed to: (1) identify Federal statutes from 1949 to 1968 which have provisions for the education of the handicapped; (2) give a brief description of the major provisions of these laws; and (3) suggest areas of need for future legislative action. Laws which provide health, welfare, rehabilitation or other benefits will be included when they also aid in the education of handicapped children. Both authorization and appropriation laws will be reviewed. This paper will be a convenient reference to the statutes which provide Federal aid, both directly and indirectly, for the education of the handicapped.

PUBLIC LAWS BY NUMBER AND TITLE

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81-290	Braille Writer's Transportation	9
81-815	School Facilities in Areas Affected by Federal Activities	9
81-874	Education Agency Affected by Federal Activity	9
Stat. Vol. 65-66 (1951-52)		
82-446	Amendment to an Act to Provide Books for the Adult Blind	9
Stat. Vol. 67-68 (1953-54)		
83-420	Gallaudet College Act	10
83-531	Authorization of Cooperative Research in Education	10
83-565	Vocational Rehabilitation Amendment of 1954	10
Stat. Vol. 69-70 (1955-56)		
84-597	Library Services Act	10
84-634	War Orphans Educational Assistance Act of 1956	10
84-922	Education of the Blind Act	11
84-937	Amendment to Vocational Rehabilitation Act	11
Stat. Vol. 71-72 (1957-58)		
85-308	Amendment to P.L. 82-446	11
85-544	Public Health Service Act Amendment	11
85-857	Veterans Benefits Act	11
85-864	National Defense Education Act of 1958	11
85-871	Amendment to War Orphans Educational Assistance Act of 1956	12
85-905	Captioned Films for the Deaf	12
85-926	Education of Mentally Retarded Children	12

*These public laws represent only the basic legislation. Extensions and appropriations for these laws are listed on Pages 7 and 8.

**Refers to United States Statutes at Large. These are bound volumes of the complete text of all Public Laws, and are available in the reference section of many libraries.

Public Law No.	Title	Page
Stat. Vol. 73-74 (1959-60)		
86-158	Departments of Labor, Health, Education, and Welfare Appropriations Act of 1960	12
86-776	Gallaudet College Act	13
Stat. Vol. 75-76 (1961-62)		
87-274	Juvenile Delinquency and Youth Offenses Control Act of 1961	13
87-276	Teachers of the Deaf Training Act	13
87-294	American Printing House for the Blind	13
87-400	Amendment to National Defense Education Act of 1958, Title II	13
87-415	Manpower Development and Training Act of 1962	13
87-715	Loan Service of Captioned Films for the Deaf	14
87-765	Blind Persons Library of Congress Musical Scores	14
Stat. Vol. 77-78 (1963-64)		
88-156	Maternal and Child Health and Mental Retardation Planning Amendments of 1963	14
88-164	Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963	14
88-204	Higher Education Facilities Act of 1963	15
88-210	Vocational Education Act of 1963	15
88-214	Amendments to Manpower Development and Training Act of 1962	15
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88-368	Amendment to Juvenile Delinquence and Youth Offenses Control Act of 1961	15
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88-665	National Defense Education Act Amendments of 1964, and P.L. 81-815, 81-874	16
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89-10	Elementary and Secondary Education Act of 1965	16
89-15	Manpower Act of 1965	17
89-36	National Technical Institute for the Deaf Act	17
89-97	Social Security Amendments, 1965	18

Public Law No.	Title	Page
89-105	Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965	18
89-258	Amendment to Captioned Films for the Deaf Act	18
89-287	National Vocational Student Loan Insurance Act of 1965	18
89-329	Higher Education Act of 1965	19
89-333	Vocational Rehabilitation Amendments of 1965	19
89-511	Library Services and Construction Act Amendments of 1966	19
89-522	Amendment to an act to provide books for the Adult Blind	19
89-601	Fair Labor Standards Amendments of 1966	20
89-614	Military Medical Benefits of 1966	20
89-694	Model Secondary School for the Deaf Act	20
89-750	Elementary and Secondary Education Amendments of 1966	20
89-752	Higher Education Act Amendments of 1966	21
89-754	Demonstration Cities and Metropolitan Development Act of 1966	21
Stat. Vol. 81 (in print) (1967)		
90-31	Mental Health Amendments of 1967	21
90-35	Education Professions Development Act	21
90-99	Vocational Rehabilitation Amendments of 1967	22
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83-248	Amendment to P.L. 81-874	
83-731	Amendment to P.L. 81-815	
Stat. Vol. 69-70 (1955-56)		
84-204	Amendment to P.L. 81-874	
84-382	Amendment to P.L. 81-815, P.L. 81-874	
84-949	Amendment to P.L. 81-815, P.L. 81-874	

Public Law No.	Title	Page
Stat. Vol. 71-72 (1957-58)		
85-267	Amendment to P.L. 81-815	
85-620	Amendment to P.L. 81-815, P.L. 81-874	
Stat. Vol. 75-76 (1961-62)		
87-344	Amendment to P.L. 81-815, P.L. 81-874 and National Defense Education Act of 1958, Title II	
87-835	Amendments to National Science Foundation Act of 1950 and National Defense Education Act of 1958	
Stat. Vol. 79-80 (1965-66)		
89-313	Amendments to P.L. 81-815, P.L. 81-874 and Higher Education Act of 1965	

DESCRIPTION OF LEGISLATION

Stat. Vol. 63-64 (1949-50)

P.L. 81-290 Braille Writers Transportation.

An act to permit sending braille writing machines to and from the blind at the same postal rate as provided for transportation for repair purposes.

P.L. 81-815 School Facilities in Areas Affected by Federal Activity.

Provides funds to local education agencies for planning school construction. Provides funds to local educational agencies for construction of school facilities. Includes any child for whom state provides free public education.

P.L. 81-874 Education Agency Affected by Federal Activity.

Provides funds to local educational agency in such amount as is equal to the continuing federal responsibility for the additional financial burden placed on the local agency by federal activity. Includes any child within age limits for which state provides free public education.

P.L. 81-815 and P.L. 81-874 were subsequently extended for additional periods of time by P.L. 83-248, P.L. 83-731, P.L. 84-24, P.L. 84-382, P.L. 84-949, P.L. 85-267, P.L. 85-620, P.L. 87-344, P.L. 88-210, P.L. 88-665, P.L. 89-10, and P.L. 89-313. They are included because the subsequent amendments provide significant aid to the education of handicapped children.

Stat. Vol. 65-66 (1951-52)

P.L. 82-446 Amendment to an Act to Provide Books for the Adult Blind.

Authorizes the Library of Congress to provide books either in raised characters, on sound reproductions, or in any other form for the use of all blind persons.

Stat. Vol. 67-68 (1953-54)

P.L. 83-420 Gallaudet College Act.

Changes name of Columbia Institute for the Deaf to Gallaudet College. Provides for its organization and administration.

P.L. 83-531 Authorization of Cooperative Research in Education

Authorizes the Commissioner of Education to conduct research, surveys and demonstrations in the field of education.

P.L. 83-565 Vocational Rehabilitation Amendments of 1954.

Establishes a National Advisory Committee on Vocational Rehabilitation in the Department of Health, Education, and Welfare. Provides for establishment of rehabilitation facilities and sheltered workshops for physically handicapped individuals, through grants to states.

Stat. Vol. 69-70 (1955-56)

P.L. 84-597 Library Services Act.

Provides for state plans for further extension of library services to rural areas. Subsequent amendments, described below, specifically include services to the handicapped.

P.L. 84-634 War Orphans Educational Assistance Act of 1956.

Provides appropriations for education of children of persons who died in active service during World War I, World War II, or the Korean War. Educational institution is defined to include any public or private secondary school, vocational school, business school, junior college, normal school, professional school, university, scientific or technical institution, or any other institution if it furnishes education at the secondary level or above.

Provides for payment of educational assistance allowance to parent or guardian of child. Provides for special restorative training to lessen or overcome a handicapping condition in the pursuit of a program of education.

P.L. 84-922 Education of the Blind Act.

Authorizes wider distribution of books for the blind.

P.L. 84-937 Amendment to Vocational Rehabilitation Act.

Provides for planning a nationwide expansion of Vocational Rehabilitation activities in the states.

Stat. Vol. 71-72 (1957-58)

P.L. 85-308 Amendment to an Act to Provide Books for the Adult Blind.

Authorizes the Library of Congress to provide expanded services to the blind.

P.L. 85-544 Public Health Service Act Amendment

Provides grants-in-aid by the Surgeon General for professional training in the field of public health.

P.L. 85-857 Veterans Benefits Act.

Includes Act previously entitled War Orphans Educational Assistance Act.

Provides in addition for specialized vocational training courses for the handicapped.

P.L. 85-864 National Defense Education Act of 1958.

Title II provides loans to students in institutions of higher education, including students preparing to teach the handicapped.

Title IV provides National Defense Fellowships for students in graduate programs with preference to those interested in teaching in institutions of higher education.

Title V provides grants to state educational agencies to assist them in establishing and maintaining programs of testing and guidance, counseling, and for the identification and encouragement of able students.

Title VII, Part B provides grants-in-aid to public or private agencies, organizations, and individuals for projects of research or experimentation in more effective use of television, radio, motion pictures, and related educational media.

Title VII, Part C establishes an Advisory Committee on New Educational Media.

Title VIII provides assistance to the states to extend vocational educational programs. (Amends the Vocational Education Act of 1946).

P.L. 85-871 Amendment to War Orphans Educational Assistance Act of 1956.

Extends benefits of Act to those between age of 14 and 18 who have a mental or physical handicap.

Provides for specialized vocational training courses.

P.L. 85-905 Captioned Films for the Deaf.

Provides grants to the Department of Health, Education, and Welfare to establish a loan service of captioned films for the deaf.

P.L. 85-926 Education of Mentally Retarded Children.

Provides grants to institutions of higher learning and to state educational agencies for fellowships to train teachers in the fields relating to the education of mentally retarded children.

Stat. Vol. 73-74 (1959-60)

P.L. 86-158 Appropriations, Department of Health, Education and Welfare.

Made grants available to assist institutions in meeting the cost of training teachers of the mentally retarded.

P.L. 86-776 Gallaudet College Act.

Transfers certain property to Gallaudet College.

Stat. Vol. 75-76 (1961-62)

P.L. 87-274 Juvenile Delinquency and Youth Offenses Control Act of 1961.

Authorizes demonstration projects and provides for coordination of programs among agencies.

Authorizes appointment of technical or advisory committees.

P.L. 87-276 Teachers of the Deaf Training Act.

Provides grants to institutions of higher education for training teachers of the deaf, speech pathologists, and audiologists.

A program of grants to individual speech pathologists and audiologists was not established. Establishes an Advisory Committee on training teachers of the deaf.

P.L. 87-294 American Printing House for the Blind.

Authorizes payments to the American Printing House for the Blind in order to widen distribution of books and other special instructional materials for the blind.

P.L. 87-400 Amendment to National Defense Education Act of 1958, Title II.

Amends the Act to change the loan period from fiscal year to academic year.

P.L. 87-415 Manpower Development and Training Act of 1962.

Authorizes the Secretary of Labor to study and establish training programs. Some handicapped children can participate in these programs.

Authorizes the Secretary of Health, Education, and Welfare to enter into agreements with the states to provide training programs through the appropriate state vocational agencies.

Establishes a National Advisory Committee on Manpower Development.

P.L. 87-715 Loan Service of Captioned Films for the Deaf.

Amends P.L. 85-905, Captioned Films for the Deaf Act, to include production of films, training of personnel, and research.

P.L. 87-765 Blind Persons, Library of Congress Musical Scores.

Establishes in the Library of Congress a Library of Musical Scores, and other instructional materials for the blind.

Stat. Vol. 77-78 (1963-64)

P.L. 88-156 Maternal and Child Health and Mental Retardation Planning Amendments of 1963.

Provides grants to states to determine the action needed to combat mental retardation; provides for the coordination of state and local activities in the area of mental retardation.

P.L. 88-164 Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

Title I-A provides grants to public or nonprofit institutions, which the Surgeon General determines competent, for construction of a research facility for research, or research and related purposes, relating to human development in the area of mental retardation.

Title I-B provides grants for the construction of university affiliated facilities for the mentally retarded.

Title I-C provides allotments to states for construction of facilities for the mentally retarded.

Title II provides allotments to the states for construction of community mental health centers.

Title III provides grants to institutions of higher learning for training teachers and other specialists of handicapped children. Provides grants to states, state or local educational agencies, institutions of higher learning, educational and research agencies, and organizations for demonstration projects related to education for handicapped children.

P.L. 88-204 Higher Education Facilities Act of 1963.

Provides grants to graduate centers for instructional facilities and research purposes in the areas of exceptionality other than mental retardation.

Establishes a National Advisory Committee on Graduate Education.

P.L. 88-210 Vocational Education Act of 1963.

Part A provides grants to states to strengthen and improve programs in vocational education.

Part B increases available funds for student loans available under P.L. 85-864.

Establishes a National Advisory Committee on Vocational Education.

P.L. 88-214 Amendments to Manpower Development and Training Act of 1962.

Provides a special program to identify youths who, because of inadequate preparation, are unable to work.

Authorizes establishment of Advisory Committee on Manpower Development.

P.L. 88-269 Amendment to Library Services Act.

Increases amount of assistance under Library Services Act and extends such assistance to non-rural areas.

P.L. 88-368 Amendment to Juvenile Delinquency and Youth Offenses Control Act of 1961.

Provides for a project in Washington, D.C., to demonstrate the

effectiveness of a large scale program of prevention and control of juvenile delinquency.

P.L. 88-452 Economic Opportunity Act of 1964.

Title I establishes the Office of Economic Opportunity; provides for the Job Corps, Work-Training Programs, and Work-Study Programs.

Title II provides for general community action programs and adult basic education programs.

Title III provides for special programs to combat poverty in rural areas.

Certain types of handicapped children can participate in these programs.

Establishes a National Advisory Council on Economic Opportunity.

P.L. 88-665 National Defense Education Act Amendments 1964 and P.L. 81-815, P.L. 81-874.

Title II is amended to allow 50% forgiveness of student loans at the rate of 10% per year of service as a full-time teacher in a public or other nonprofit elementary or secondary school in a state, in an institution of higher education, or in an overseas elementary or secondary school of the Armed Forces of the United States.

Stat. Vol. 79-80 (1965-66)

P.L. 89-10 Elementary and Secondary Education Act of 1965.

Title I provides grants to local educational agencies for the special needs of children of low income families; establishes a National Advisory Council for the Education of Disadvantaged Children.

Title II provides grants to public and private elementary and

secondary schools for school library resources, textbooks, and other instructional materials.

Title III provides grants for supplementary educational centers and services, and to stimulate and assist in the development and establishment of exemplary school programs.

Establishes a National Advisory Committee on Supplementary Educational Centers and Services.

Title IV provides grants to universities and colleges and other public or private agencies, institutions, and organizations or individuals for research, surveys and demonstrations in the field of education.

Title V provides grants to the states to strengthen State Departments of Education.

P.L. 89-15 Manpower Act of 1965.

Establishes a program of experimental, developmental, demonstration and pilot projects for improving techniques and demonstrations of effectiveness of specialized methods in meeting the manpower, employment, and training problems of disadvantaged youths, the handicapped and other similar groups. Requires consultation among the Secretaries of Health, Education, Welfare, Commerce, and Labor, and the Director of the Office of Economic Opportunity.

P.L. 89-36 National Technical Institute for the Deaf Act.

Provides for the establishment and operation of a secondary technical training and education facility for those who are deaf.

Establishes a National Advisory Board on establishment of the National Institute for the Deaf.

P.L. 89-97 Social Security Amendments, 1965.

Provides funds for the implementation of state mental retardation comprehensive plans which were supported by grants available under P.L. 88-156. These may include some education services for mentally retarded children.

P.L. 89-105 Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965.

Amends the Act to provide grants for compensation of professional and technical personnel for the initial operation of new community mental health centers.

P.L. 89-258 Amendment to Captioned Films for the Deaf Act.

Amends P.L. 85-905, Captioned Films for the Deaf Act, to further provide for a loan service of educational media to the deaf; to carry on research in the use of educational media for the deaf; and to train persons in the use of educational media for the instruction of the deaf.

Establish a National Advisory Committee on the Education of the Deaf.

P.L. 89-287 National Vocational Student Loan Insurance Act of 1965.

Section 6 provides for a program of loan insurance to assist students to attend post-secondary business, trade, technical and other vocational schools. Some handicapped children can participate in these programs.

P.L. 89-313 Amendments to P.L. 81-815, P.L. 81-874.

Extends provisions of the Act to major disaster areas.

Amends P.L. 81-874 as amended by P.L. 89-10, Title I to specifically include handicapped children at schools operated or supported by a state agency.

P.L. 89-329 Higher Education Act of 1965.

Part D amends the National Defense Education Act of 1958 to provide cancellation of student loans at the rate of 15% for each academic year or its equivalent of service as a full-time teacher in a public or private nonprofit elementary or secondary school. This school must be in a local educational unit in which there has been determined to be a high concentration of students of low income families.

Title V, Part B, establishes grants for fellowships, for graduate study, to teachers preparing for a career in elementary or secondary education, including teachers of handicapped children.

Title VI provides financial assistance to institutions of higher education for the improvement of undergraduate instruction.

P.L. 89-333 Vocational Rehabilitation Act Amendment of 1965.

Provides grants to state Vocational Rehabilitation agencies for improvement of services to the handicapped.

Assists states with innovative vocational rehabilitation services.

Provides grants for construction of vocational rehabilitation facilities and workshops.

Establishes a National Commission on Architectural Barriers to Rehabilitation of the Handicapped.

P.L. 89-511 Library Services and Construction Act Amendments of 1966.

Makes state library services available to students in residential schools for the handicapped.

Provides for the development of state plans for services to the handicapped.

P.L. 89-522 Amendment to an Act to Provide Books for the Adult Blind.

Extends Library of Congress Services to other handicapped persons.

P.L. 89-601 Fair Labor Standards Amendments of 1966.

Title V authorizes issuance of special certificates for the employment of physically or mentally handicapped workers engaged in work which is incidental to training on evaluation programs; multi-handicapped individuals and other individuals whose earning capacity is so severely impaired that they are unable to engage in competitive employment; at wages that are less than the minimum required under Section 6 of the Act but not less than 50% of such wage and which is commensurate with those paid nonhandicapped workers for comparable work.

P.L. 89-614 Military Medical Benefits Amendments of 1966.

Provides that, in case of a person who is moderately or severely mentally retarded, or who has a serious physical handicap, who is a dependent of a member of the uniformed services, the Secretary of Health, Education, and Welfare can contract for medical services. This includes diagnosis, inpatient, out-patient and home treatment, training, rehabilitation, special education, institutional care in private nonprofit, public and state institutions and facilities, and transportation to and from such institutions and facilities.

P.L. 89-694 Model Secondary School for the Deaf Act.

Provides for the establishment and support of a day and residential facility for secondary education of persons who are deaf.

P.L. 89-750 Elementary and Secondary Education Amendments of 1966.

Title I provides funds for the education of children of low income families, including neglected or delinquent, dependent, and other children.

Title VI establishes a National Advisory Committee on Handicapped Children.

Establishes a Bureau for Education and Training of the Handicapped, within the Office of Education.

Provides grants to states for the purpose of assisting states in the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the pre-school, elementary and secondary school levels.

Encourages and expands adult basic educational programs.

Provides special project grants for teacher training.

Establishes a National Advisory Committee on Adult Education.

P.L. 89-752 Higher Education Amendments of 1966.

States that plans for higher education facilities insure that the facilities are accessible to and usable by persons who are handicapped.

Section 16 provides for cancellation of NDEA loan at the rate of 15% for each complete academic year of service as a full-time teacher of handicapped children in a public or other nonprofit elementary or secondary school system.

P.L. 89-754 Demonstration Cities and Metropolitan Development Act of 1966.

Authorizes programs for rebuilding slums and blighted areas and for providing public facilities and services necessary to improve the general welfare of the people who live in those areas.

Stat. Vol. 81, (in print) (1967)

P.L. 90-31 Mental Health Amendments of 1967.

Extends grants for construction and for initial staffing of Community Mental Health Centers.

P.L. 90-35 Education Professions Development Act.

Establishes a National Advisory Board on Education Professions Development.

Provides grants for attracting qualified people to the field of education.

Extends teacher fellowship program to include persons training in the areas of preschool, adult, and vocational education.

Provides grants to institutions of higher education and state educational agencies for improving training opportunities for personnel serving programs of education other than higher education. Included are programs for the socially, culturally, and economically disadvantaged, the gifted, and the handicapped.

P.L. 90-99 Vocational Rehabilitation Amendments of 1967.

Authorizes the Secretary of the Department of Health, Education, and Welfare to enter into an agreement with any public or non-public private agency or organization for payment by the United States of all or part of the costs of the establishment and operation, including construction and equipment, of a center for vocational rehabilitation of handicapped individuals who are both deaf and blind.

P.L. 90-170 Mental Retardation Amendments of 1967.

Title V extends P.L. 88-164 training authority by authorizing grants to public and other nonprofit institutions of higher learning to assist them in providing professional or advanced training for physical education or recreation personnel for mentally retarded and other handicapped children. Institutions employing supervisors of such personnel, or institutions engaged in research on teaching in fields related to the physical education or recreation of such children are eligible for grants under this act.

Establishes an Advisory Committee on general policy relating to the administration of this title.

P.L. 90-247 Elementary and Secondary Education Amendments of 1967.

Amendment to Title VI, Part B.

Provides for the establishment and operation of regional centers designed to develop and apply the best methods of appraising the special educational needs of handicapped children.

Amendment to Title VI, Part C.

Provides for a limited number of model centers for deaf-blind children to provide specialized intensive professional and allied services, methods, and aids to enable such children to achieve their full potential for communication, for adjustment to their environment, for useful and meaningful participation in society, and for self-fulfillment.

Amendment to Title VI, Part D.

Provides for grants on contracts to improve recruiting of educational personnel and to improve dissemination of information concerning educational opportunities for the handicapped.

Provides for expansion of instructional media programs to include all handicapped.

Provides increased support of educational activities in state-supported or operated institutions.

Provides special "earmarking" of funds for the handicapped in Title III, of P.L. 89-10, ESEA of 1965.

Establishes a National Advisory Council on Supplementary Centers and Services.

P.L. 90-538 Preschool and Early Education Programs for Handicapped Children.

Authorizes the development and implementation of experimental preschool and early education programs. These programs are designed to:

Facilitate the intellectual, emotional, physical, mental and social development of handicapped children.

Encourage the participation of the parents of such children in the development and operation of the programs.

Acquaint the community to be served with the problems and potentialities of such children.

P.L. 90-575 Higher Education Amendments of 1968.

P.L. 90-576 Vocational Education Amendments of 1968.

Provides that 10% of funds provided to the states under this act be earmarked for programs for handicapped children and youth.

Redefines handicapped children and youth so as to be consistent with definitions in P.L. 88-164.

Implications for Future Legislation

A total of 62 pieces of basic legislation and 12 extensions and authorizations to this legislation between 1949 and 1968, contain provisions for the education of the handicapped. Other laws which provide for health, welfare or other benefits were reviewed but not included unless they contain some provision for the education of handicapped persons. The legislation can be characterized as direct or indirect aid which usually falls into one of four categories: research, training, demonstration, or construction. Very little of the aid is given directly to the handicapped individual; most of it comes indirectly through a state agency, institution of higher learning, or local educational agency. The pattern of legislative action has been one of gradually expanding services to a particular group, such as the blind or deaf, until virtually all handicapped persons are included. The pattern is to include all the handicapped and by implication show that a particular program is more appropriate for one group than for others; for example, work-study programs or the job-training programs. When submitted, H.R. 14 (1967) declared it a policy of the government to provide comprehensive support for the education and training of the handicapped through coordinated Federal leadership, financial assistance to state educational agencies, support for programs of early identification and enumeration, increased support for training personnel, and other programs contributing to meeting the specialized educational needs of the handicapped.

With this statement of policy it appeared that Congress was making the evolution from categorical aid to specific groups of the handicapped. This statement, however, was not included in P.L. 90-247 (ESEA Amendments, 1967) when enacted.

Future legislation should be designed to implement this policy. A coordinating agency at the Federal level may be needed to assure cooperative planning and continuous service throughout the life span of the handicapped individual. Research, training, demonstration, and construction support are necessary for the establishment of programs but future legislation may also provide funds for teacher salaries, and operational expenses. A systematic study of the impact of these Federal programs on the handicapped is needed. A comprehensive examination of programs needed for handicapped children in the United States should be conducted (National Advisory Committee on Handicapped Children, 1968).

Summary

Federal Statutes, from 1949 to 1968, which have provisions for the education of the handicapped have been identified and annotated. Some suggestions for future legislation have been made. In conclusion, it appears that many innovative, experimental, demonstration, training, and research type projects have been authorized, but to date, little effort has been made to evaluate these programs.

Nevertheless, at the present time, interest and enthusiasm for Federal legislation in favor of handicapped children is at its highest peak. There are no indications that interest in this area will diminish in the near future.

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APPENDIX I

Appropriations* 1949 - 1969

81-911	Second Supplemental Appropriation Act of 1951
82-43	Fourth Supplemental Appropriations Act, 1951
82-45	Third Supplemental Appropriations Act, 1951
82-134	Labor-Federal Security Appropriation Act, 1952
82-253	Supplemental Appropriations Act, 1952
82-254	Second Supplemental Appropriations Act, 1952
82-452	Labor-Federal Security Appropriations Act, 1953
82-547	Supplemental Appropriations Act, 1953
83-11	Second Supplemental Appropriations Act, 1953
83-59	Third Supplemental Appropriations Act, 1953
83-170	Departments of Labor and Health, Education, and Welfare Appropriations Act, 1954
83-207	Supplemental Appropriations Act, 1954
83-357	Third Supplemental Appropriations Act, 1954
83-472	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1955
83-663	Supplemental Appropriations Act, 1955
84-24	Second Supplemental Appropriations Act, 1955
84-195	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1956
84-219	Supplemental Appropriations Act, 1956
84-635	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1957
84-855	Second Supplemental Appropriations Act, 1957
85-67	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1958
85-352	Second Supplemental Appropriations Act, 1958
85-580	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1959
85-766	Supplmental Appropriations Act, 1959
86-30	Second Supplemental Appropriations Act, 1959
86-158	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1960
86-424	Second Supplemental Appropriations Act, 1960
86-703	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1961
86-722	Second Supplemental Appropriations Act, 1961
87-14	Third Supplemental Appropriations Act, 1961
87-290	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1962
87-332	Supplemental Appropriations Act, 1962
87-545	Second Supplemental Appropriations Act, 1962
87-582	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1963

*This is a selected listing of appropriation laws pertaining to programs administered by the U. S. Office of Education.

APPENDIX (continued)

88-136	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1964
88-268	Supplemental Appropriations, Department of Health, Education, and Welfare
88-605	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1965
88-635	Supplemental Appropriations Act, 1965
89-16	Second Supplemental Appropriations Act, 1965
89-156	Departments of Labor, and Health, Education and Welfare Appropriations Act, 1966
89-199	Departments of Labor, and Health, Education, and Welfare Supplemental Appropriations Act, 1966
89-309	Supplemental Appropriations Act, 1966
89-787	Departments of Labor, and Health, Education, and Welfare Appropriations Act, 1967
90-132	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1968
90-557	Departments of Labor, Health, Education, and Welfare Appropriations Act, 1969
90-608	Supplemental Appropriations Act, 1969

APPENDIX II

Index of Public Law Authorizations and Selected Appropriations from 1949 to 1968

Public Law	Advisory Councils	Appropriations	Blind	Construction	Deaf	Disadvantaged	Emotionally Disturbed	Gifted	Handicapped (All)	Higher Education	Individuals	Juvenile Deliquency	Library Science	Loans	Local Agency	Mentally Retarded	Physically Handicapped	Research	State Agencies	Teacher Training
81-290			x																	
81-815				x					x					x						
81-874									x					x						
81-911		x																		
82-43		x																		
82-45		x																		
82-134		x																		
82-253		x																		
82-254		x																		
82-446			x									x								
82-452		x																		
82-547		x																		
83-11		x																		
83-59		x																		
83-170		x																		
83-207		x																		
83-248									x					x						
83-357		x																		
83-420					x					x										
83-472		x																		
83-531									x									x		
83-565	x			x												x		x		
83-663		x																		
83-731				x					x					x						
84-24		x																		
84-195		x																		
84-204									x					x						
84-219		x																		
84-382				x					x					x						
84-597				x								x							x	
84-634									x	x	x			x		x				
84-635		x																		
84-855		x																		
84-922			x									x								
84-939									x										x	
84-949				x					x					x						
85-67		x																		
85-267				x					x					x						
85-308			x									x								

APPENDIX II (Continued)

Public Law	Advisory Councils	Appropriations	Blind	Construction	Deaf	Disadvantaged	Emotionally Disturbed	Gifted	Handicapped (All)	Higher Education	Individuals	Juvenile Deliquency	Library Science	Loans	Local Agency	Mentally Retarded	Physically Handicapped	Research	State Agencies	Teacher Training
85-352		x								x										x
85-544		x								x					x					
85-580		x		x						x					x					
85-620		x									x								x	
85-766											x								x	
85-857	x							x		x	x	x	x	x				x	x	x
85-864									x		x	x	x	x		x		x	x	x
85-871						x				x		x								
85-905										x										
85-926		x								x										
86-30		x								x										
86-158		x																		
86-424				x								x								
86-679		x																		
86-703		x																		
86-722					x					x										
86-776		x																		
87-14	x											x								
87-274	x				x					x										x
87-276		x																		
87-290			x																	
87-294		x																		
87-332				x				x	x	x	x		x	x			x	x	x	
87-344				x				x		x	x		x				x	x	x	
87-400	x								x										x	
87-415		x																		
87-545		x																		
87-582				x								x								x
87-715											x	x								
87-765				x				x	x	x	y		x	x				x	x	x
87-835		x																		
88-136														x	x					
88-156				x			x		x	x					x			x	x	x
88-164				x					x	x										
88-204	x			x				x	x	x	x		x	x				x	x	x
88-210	x			x		x														
88-214	x																			
88-268		x																		
88-269				x								x								

APPENDIX II (Continued)

Public Law	Advisory Councils	Appropriations	Blind	Construction	Deaf	Disadvantaged	Emotionally Disturbed	Gifted	Handicapped (All)	Higher Education	Individuals	Juvenile Deliquency	Library Science	Loans	Local Agency	Mentally Retarded	Physically Handicapped	Research	State Agencies	Teacher Training
88-368											x									
88-452	x					x														
88-605		x																		
88-635		x																		
88-665				x		x		x	x	x	x	x			x	x		x	x	x
89-10	x					x			x			x			x			x	x	
89-15						x			x											
89-16		x																		
89-36	x				x															
89-69											x									
89-97															x				x	
89-105				x			x								x					
89-156		x																		
89-199		x																		
89-258	x				x							x					x		x	
89-287										x	x		x							
89-309		x																		
89-313				x					x					x						
89-329	x					x			x	x	x		x						x	
89-333	x			x					x								x	x		
89-511				x					x			x				x		x		
89-522			x						x			x								
89-601											x				x	x				
89-614															x	x				
89-694				x	x															
89-750	x					x			x						x		x		x	
89-752				x					x	x			x			x			x	
89-754						x								x						
89-787		x																		
90-31				x			x								x					
90-35	x					x		x	x	x	x							x	x	
90-99			x	x	x											x				
90-132		x																		
90-170	x								x	x					x		x		x	
90-247	x		x		x				x			x							x	
90-538									x											
90-557		x																		
90-575										x										
90-576									x											